

UINTAH AND WHITE RIVER TRIBES OF UTE INDIANS OF UTAH

JANUARY 29, 1925.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. KNUTSON, from the Committee on Indian Affairs, submitted
the following

REPORT

[To accompany S. 3080]

The Committee on Indian Affairs, to whom was referred the bill (S. 3080) for the relief of the Uintah and White River Tribes of Ute Indians of Utah, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Page 2, line 1, after the word "value," insert "at the time of session."

Page 2, line 13, after the word "otherwise," strike out all down to and including the word "consideration," in line 14.

Page 2, line 7, strike out "50,000" and insert "25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit."

With the above amendments your committee recommend the enactment of this legislation. This is another of the claim bills against the Government and your committee has limited the fees to the usual amount carried in these measures and has protected the Government in any claims which it may show against these Indians.

The report of the Committee on Indian Affairs of the Senate is as follows:

This bill confers jurisdiction upon the Court of Claims to hear and determine the rights of said Indians under an agreement ceding lands embraced in their reservation to the United States and under acts of Congress relating thereto.

October 3, 1861, President Lincoln, by Executive order, set aside the Uintah Valley, in the Territory of Utah, for the use and occupancy of Indian tribes. The Uintah Tribes of Utes were in occupancy of said valley at the time of said order.

In November, 1881, the White River Band of Ute Indians, formerly of Colorado, were removed from Colorado to this Uintah Reservation and thereafter held title jointly and in common with the Uintahs to said reservation.

The act of May 24, 1888 (25 Stats. 157), provides for the restoration of a portion of the lands of this Uintah Reservation and declares that said lands shall be disposed of at public or private sale at not less than \$1.25 per acre for nonmineral lands; that all moneys arising from sales of this land shall belong to said Indians and held and added to any trust fund of said tribes now there.

The act of May 27, 1902 (32 Stats. 263), provides for allotments in severalty of agricultural lands to said Indians, and all unallotted lands shall be restored to the public domain, providing that persons entering any of said lands under the homestead law shall pay therefor at the rate of \$1.25 per acre, "and the proceeds of the sale of the lands so restored to the public domain shall be applied, first, to the reimbursement of the United States for any moneys advanced to said Indians to carry into effect the foregoing provisions, and the remainder, under the direction of the Secretary of the Interior, shall be used for the benefit of said Indians."

The number of acres restored to the public domain after making allotments was about 1,249,340 acres.

In 1906 the Government set apart out of the unallotted portion of said reservation a forest reservation of 1,010,000 acres. The Government classified 36,223 acres of the land so created into a forest reservation as coal lands, and in its classification valued 15,011 acres at \$836,631 (about \$55.73 per acre), leaving 21,212 acres of coal lands the value of which has not yet been estimated by the Government.

By act of February 25, 1920, all public coal lands were permanently withdrawn from sale.

In addition to the coal lands and other mineral lands the Government reports show that there are in this timber reservation pine, spruce, and fir timber of about 500,000,000 feet board measure. There is no estimate of what this half billion feet of timber suitable for lumber is worth. The Government having taken these lands (which it was, under the agreement and the law, required to sell for the benefit of the Indians) for a forest reservation, it is, of course, responsible to the Indians for the value of the lands so taken.

There are questions of fact relating to the quantity and the value of the lands thus taken by the Government. There are also questions of both law and fact in respect to certain payments made to these Indians by the Government as to whether such payments could be set off as against the claim of said Indians.

On a hearing before the committee the representative of the Interior Department acquiesced in the propriety of submitting all of these questions to the Court of Claims. As amended this bill has the approval of the Interior Department.

